

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PCG Trading, LLC d/b/a CONVERGE,

Plaintiff,

vs.

BOSTON COMPUTER GROUP, INC., DAVID
INGEMI, CARMEN BOSSI and MICHAEL SAIA

Defendants.

Civil Action No. 04 CV 12314 RGS

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1(D)

Pursuant to Local Rule 16.1, the Plaintiff, PCG Trading, LLC d/b/a Converge (“Plaintiff”), and the Defendants, Boston Computer Group, Inc., David Ingemi, Carmen Bossi and Michael Saia (“Defendants”), hereby submit this Joint Statement Regarding Proposed Pretrial Schedule pursuant to Rule 16.1(D) of the Local Rules of the United States District Court for the District of Massachusetts and the Court’s Notice of Scheduling Conference. The parties jointly and respectfully request that the Court approve the following Proposed Pretrial Schedule and Discovery Plan:

1. PROPOSED DISCOVERY PLAN

February 1, 2005	The Parties have agreed to complete and serve automatic disclosures on or before this deadline;
August 1, 2005	Deadline for completion of all fact discovery, including requests for production of documents, interrogatories and fact witness depositions;
August 1, 2005	Deadline for disclosure of expert(s) and production of expert report(s);
September 1, 2005	Deadline for disclosure of rebuttal expert(s) and production of rebuttal expert report(s);

November 1, 2005 Deadline for completion of expert discovery, including without limitation, deposition(s) of expert(s) and independent medical examination(s).

2. PROPOSED SCHEDULE FOR FILING MOTIONS

November 1, 2005 Deadline for filing dispositive motions, if either party determines that such a motion is appropriate; and any opposition thereto shall be due within 30 days of filing of said dispositive motion.

The parties further reserve their rights to request leave of this Court to submit reply briefs and/or surreply briefs.

3. MODIFICATION OF SCHEDULED DATES

The parties submit that they will be ready for a Pre-Trial Conference in this action within 45 days of the date of a final ruling by the Court on any dispositive motion.

All dates, other than any trial date, may be modified subject to written agreement of the parties and approval by the Court, or upon motion to the Court for good cause.

4. TRIAL BY A MAGISTRATE JUDGE

At the present time, the parties do not consent to trial of this action by a Magistrate Judge.

5. SETTLEMENT

The parties have discussed settlement but have been unable to reach agreement as of this date. Defendants have received a written settlement demand from Plaintiff's counsel, in accordance with Local Rule 16.1.

6. CERTIFICATIONS

The undersigned counsel hereby certify that they have conferred with their clients with a view to establishing a budget for the costs of conducting the full course and various alternative

courses of the litigation, and to consider the resolution of the litigation through the use of alternative dispute resolution programs. The parties have submitted, or will submit, separately the certifications required by Local Rule 16.1(D)(3).

WHEREFORE, Plaintiff and Defendants respectfully request that the Court approve their Proposed Pretrial Schedule and Discovery Plan, with such amendments as the Court deems just and proper.

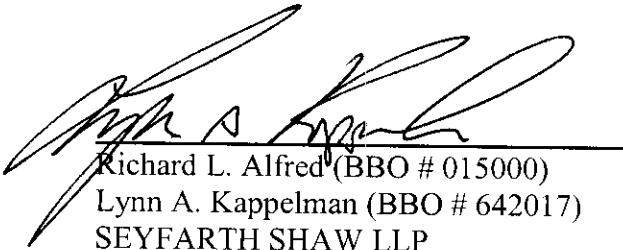
Respectfully submitted,

PLAINTIFF,
PCG Trading, LLC d/b/a CONVERGE

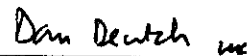
DEFENDANTS,
BOSTON COMPUTER GROUP, INC., DAVID
INGEMI, and MICHAEL SAIA

By its Attorneys,

By their Attorneys,

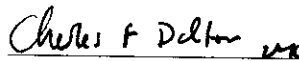


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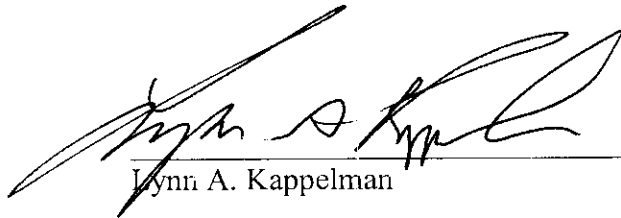
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Dated: December 6, 2004

CERTIFICATE OF SERVICE

I, Lynn A. Kappelman, hereby certify that on this 6 day of December, 2004, a true copy of the foregoing document was mailed, postage prepaid, to Daniel Deutsch, Esq., DEUTSCH WILLIAMS BROOKS DeRENSIS & HOLLAND, P.C., 99 Summer Street, Boston, MA 02110-1213 and Charles F. Dalton, Jr., Esq., DALTON & BARON, 68 Main Street, P.O. Box 608, Andover, MA 01810.



Lynn A. Kappelman